

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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WELLS FARGO BANK, N.A.,	:	
	:	
Plaintiff,	:	Case No. 1:20-cv-04695-LTS-JLC
	:	
v.	:	
BOUCHARD TRANSPORTATION CO,	:	<b>ORDER GRANTING <i>EX PARTE</i></b>
INC., <i>in personam</i> ; M/V EVENING	:	<b>UNOPPOSED MOTION</b>
STAR, her engines, tackle, furniture,	:	<b>TO INTERVENE PURSUANT</b>
apparel, appurtenances, etc. <i>in rem</i>	:	<b>TO FED. R.CIV. P. 24(a)(2),</b>
BARGE B. NO. 250, her engines, tackle,	:	<b>FOR ISSUANCE OF A</b>
furniture, apparel, appurtenances, <i>in rem</i>	:	<b>WARRANT OF ARREST OF</b>
-----X	:	<b>M/V EVENING STAR AND</b>
BILLYBEY MARINA SERVICES, LLC,	:	<b>BARGE B. NO. 250 AND FOR</b>
	:	<b>ALTERNATIVE SERVICE</b>
Intervening Plaintiff,	:	<b>OF WARRANT OF ARREST</b>
	:	
v.	:	
Bouchard Transportation Co., Inc., Tug Evening	:	
Star Corp. and B. No. 250 Corp., <i>in personam</i> , and	:	
M/V EVENING STAR, IMO number 9629768,	:	
Official number 1234828, her engines, apparel,	:	
furniture, equipment, appurtenance, tackle, etc.,	:	
and BARGE B. NO. 250, <i>in rem</i> ,	:	
	:	
Defendants.	:	
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Upon the *Ex Parte* and Unopposed Motion of Intervening Plaintiff, Billybey Marina Services, LLC, (“Billybey” or “Intervening Plaintiff”) for this Court to (1) grant leave to intervene as of right under Fed. R. Civ. P. 24(a)(2), and permit the filing of the Verified Intervening Complaint; (2) issue warrants of arrest of the M/V EVENING STAR and BARGE B. No 250, *in rem* (“Vessels”) pursuant to Federal Supplemental Admiralty and Maritime Rule C; and (3) order alternative service due to the U.S. Marshal’s unavailability and because the Vessels

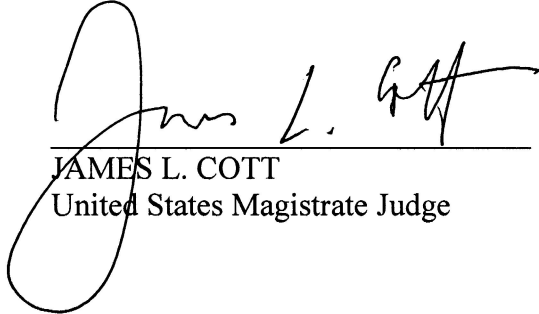
have been arrested and are in the hands of the Substitute Custodian, National Maritime Services, Inc.

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Intervening Plaintiff shall have leave to intervene in this action;
2. The Verified Intervening Complaint filed with the Intervening Plaintiff's motion shall be docketed in this action;
3. The Clerk shall issue the Warrant of Arrest for the Vessels M/V EVENING STAR and BARGE B. No. 250, *in rem*; and,
4. The Intervening Plaintiff's motion for alternative service is granted and the Warrant for Arrest, Intervening Complaint and this Court's Order shall be deemed to be served on the Vessels when issued by the Clerk and posted on the Court's docket and thereby served by Notice of Electronic Filing to counsel of each party in this action.

**SO ORDERED**

this 16 day of July, 2020



JAMES L. COTT  
United States Magistrate Judge